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9 Attorneys for Defendant
10 XIAOBING SUN

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 SHORELINE CAPITAL MANAGEMENT,
15 LTD., a British Virgin Islands Company
16 limited by shares,

17 Plaintiff,

18 vs.

19 XIAOBING SUN, an individual,

20 Defendant.

Case No. 5:08-cv-00121-JW

DECLARATION OF DI WU

1 I, Di Wu, declare:

2 1. I have personal knowledge of the facts set forth herein, and if called as a witness
3 would and could testify competently thereto.

4 2. I am Xiaobing Sun's wife, and we were married in 1997. We have two sons, my
5 younger son is 16 months old and my older son is four.

6 3. My husband applied for admission to the MBA program at the University of
7 Chicago at the end of 2004. He started school there in 2005. Our plan initially was for the entire
8 family to move to Chicago, but we were not able to do that because we were not able to get
9 adequate health insurance on our own (we had been covered by group health insurance through
10 my former employer all these years).

11 4. While Xiaobing was in business school, he stayed in Chicago while my children
12 and I stayed in California.

13 5. Over time, the responsibility of caring for my son, maintaining the household,
14 paying all the bills and doing the yard and lawn work had mostly shifted onto my shoulders. But
15 at the time I was working full time and could afford some outside help, so things were hard but
16 manageable.

17 6. In 2006, I was pregnant with our second child, and Xiaobing's mother came to
18 stay with us in California. Xiaobing stayed in Chicago for most of the time and only rarely came
19 to California (about 3 or 4 days in a month). Dealing with a demanding job, a two-year old
20 toddler, a household, bills and a mother-in-law started to take a toll on my pregnancy.

21 7. I was put on bed rest since my 28th week because my obstetrician feared a preterm
22 labor.

23 8. My marriage with Xiaobing started to get worse because Xiaobing was not there at
24 the time we needed him the most.

25 9. Our second child was born 4 weeks early. And he spent quite some time in the
26 ICU. At that point, both Xiaobing and I decided that one of us would need to stay home full time
27 to take care of the kids. Because Xiaobing had not been familiar with the children's' routines,
28 and we had invested great amount of both time and money on his MBA, we decided that I would

1 quit my job and Xiaobing will carry the responsibility to support the family financially. I quit my
2 job in 2007 to stay home to take care of our children.

3 10. Xiaobing was being recruited by Shoreline. He told me that this company wanted
4 him to move to China to work with them permanently. Xiaobing felt that this was a good
5 opportunity to bring some income to support the family.

6 11. Xiaobing quit his MBA program, and he moved to Guangzhou in March of 2007.

7 12. Our children and I also moved to China in March 2007, but we rarely saw
8 Xiaobing.

9 13. Each time we saw Xiaobing, he promised that Shoreline would start to pay him
10 more money. But every month, I had to withdraw money from my bank account, and I had to sell
11 some of my employee stock purchases to cover our living cost in China.

12 14. I returned to California in September 2007. Xiaobing did not return with me.

13 15. Xiaobing came to visit us on Nov 19, 2007. Xiaobing's mother's cancer had
14 gotten worse. He planned to return to China to take care of her. And in November and December
15 we posted advertisements to sell his car and our furniture. He dissolved his business S-Logic in
16 December 2007.

17 16. Xiaobing plans to stay with his mother forever. This upset me because I felt that
18 he was abandoning me and our children. Our marriage was not working. The children were so
19 used to life without their daddy that they would not listen to him. Shoreline never kept their
20 promise to Xiaobing, and this caused stress in our marriage. We argued about money all the time,
21 since we had been living off our savings for almost a year.

22 17. We both felt that our marriage was at a dead end. But I am reluctant to get a
23 divorce because it would take a giant toll on the children's future. Divorce is still seen as
24 shameful in China. And children from a divorced family are discriminated against in China.

25 18. Xiaobing booked his return flight to China on January 2, 2008 with no plan of ever
26 getting back together with us. In the meantime, because my children and I are living off of
27 savings and there is no immediate visibility of any future income, I do plan to spend time in
28 China with the children where the cost of living is much lower.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on
2 January 28, 2008 in Newark California.

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4  1/28/2008
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